UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

1.) Roberto Jayme MEDINA
2.) Walter Abel ALVAREZ-Tirado
3.) Julio MARTULL Jr.,
4.) Jose MARTINEZ-Gonzalez

Defendant(s)

Magistrate Case No. 08 MJ 1820

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)
Transportation of Illegal Aliens

Title 8 U.S.C., Sec. 1324 (a)(2)(B)(iii)
Bringing in Illegal Aliens Without Presentation

The undersigned complainant, being duly sworn, states:

COUNT 1

On or about **June 09, 2008,** within the Southern District of California, defendants **Roberto Jayme MEDINA, Walter Abel ALVAREZ-Tirado, Julio MARTULL Jr.** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Jorge ESTRADA-Ceja, Paulo ESTRADA-Ceja,** and **Conrado ARTEAGA-Rodriguez** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

COUNT 2

On or about **June 09,2008,** within the Southern District of California, defendant **Jose MARTINEZ-Gonzalez**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Jorge ESTRADA-Ceja, Paulo ESTRADA-Ceja, Conrado ARTEAGA-Rodriguez,** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **11th** DAY OF **June, 2008**

Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
1.) Roberto Jayme MEDINA,
2.) Walter Abel ALVAREZ-Tirado,
3.) Julio MARTULL
4.) Jose MARTINEZ-Gonzalez

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Jorge ESTRADA-Ceja, Paulo ESTRADA-Ceja, and Conrado ARTEAGA-Rodriguez** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On Monday June 9, 2008, at approximately 8:40 pm Supervisory Border Patrol Agent S. F. Pitts a member of the El Cajon Station Abatement Team was performing anti-smuggling duties near Campo, California. Agent Pitts observed a green Jeep Cherokee pulled over to the side of the road with its lights out in an area commonly known as "Split Rock." This area is located approximately five miles east of the Tecate, California Port of Entry and approximately five hundred yards north of the United States/Mexico International border.

The driver of the green Jeep began to drive eastbound on SR-94 with his headlights off, when he observed Agent Pitts' vehicle approaching. Agent Pitts observed several individuals attempting to conceal themselves by ducking down in the rear seat of green the Jeep. Agent Pitts used his agency radio to communicate to agents in the area what he had just observed. Senior Patrol Agent C. Devenport heard the information and started driving westbound on SR- 94 toward "Split Rock".

Agent Devenport observed a green Jeep Cherokee that matched Agent Pitts' description driving eastbound on State Route 94 at a high rate of speed. Agent Devenport turned his vehicle around and started driving eastbound on SR- 94 to run records checks and visually inspect the Jeep Cherokee. Once Agent Devenport was able to read the rear license plate he noticed that the vehicle started decelerating rapidly. The driver rapidly applied his brakes several times. Agent Devenport also noticed that the back end of the vehicle was riding extremely low and that there were four individuals accompanying the front seat. Agent Devenport continued to follow the vehicle as it headed north on Buckman Springs road.

Agent Devenport contacted Border Patrol Dispatch and advised them that he would be conducting a vehicle stop on the Jeep Cherokee at the intersection of Buckman Springs road and Old Highway 80 in Pine Valley California. The Jeep Cherokee turned north unto Old Highway 80 and continued 300 yards before pulling over to the side of the road .

Agent Devenport with the assistance of Agents Vasquez and Diaz identified themselves as United States Border Patrol Agents to all the occupants of the vehicle and were able to detain all them. Agents Devenport, Vasquez and Diaz questioned **defendant #1 Roberto Jayme MEDINA** and the sixteen other occupants of the vehicle individually as to their citizenships. The driver and two of the front seat passengers **defendant #2 Walter Abel ALVAREZ-Tirado**, and **defendant #3 Julio MARTULL Jr.**, stated they were citizens and nationals of the United States. The other fourteen occupants of the vehicle stated they were citizens and national of Mexico illegally present in the United States without any immigration documents that would allow them to enter or remain here legally. Agent Devenport then placed all individuals including under arrest and transported them to the El Cajon Border Patrol Station for processing and interviews.

CONTINUATION OF COMPLAINT:
1.) Roberto Jayme MEDINA,
2.) Walter Abel ALVAREZ-Tirado,
3.) Julio MARTULL
4.) Jose MARTINEZ-Gonzalez

DEFENDANT STATEMENT: Julio MARTULL

Martull was advised of his Miranda rights. He stated he understood and was willing to make a statement without an attorney present. **MARTULL** stated that he is a citizen and national of the United States, born in San Diego, California.

The defendant stated that on June 9, 2008, his friends MEDINA, Roberto Jayme and ALVAREZ-Tirado Walter Abel, invited him to go with them to Campo, California to visit a friend. The defendant stated that before getting to the friends house in Campo, California they noticed a group of people on the side of the road and that the driver (MEDINA) stopped the vehicle and the people started to get on the vehicle. The defendant stated that the individuals they picked up could have been illegal aliens.

DEFENDANT STATEMENT: Jose MARTINEZ-Gonzalez JJ 6/11/08

MARTINEZ-Gonzalez was advised of his Miranda rights. He stated he understood and was willing to make a statement without an attorney present. ~~MARTULL~~ Martinez stated that he is a citizen and national of Mexico without any immigration documents that would allow him to enter or remain legally in the United States. The defendant stated that he crossed into the United States on June 9, 2008 near the Tecate, California Port of Entry by going under the International Border Fence. The defendant claimed stated that he was going to pay $2400 to be smuggled to Los Angeles, California.

MATERIAL WITNESSES STATEMENTS:

Material Witnesses **Paulo ESTRADA-Ceja, Jorge ESTRADA-Ceja,** and **Conrado ESTRADA-Rodriguez,** adm citizens and nationals of Mexico illegally present in the United States. They stated that they do not have any immigration documents allowing them to be in the United States legally. They stated that arrangements had been made in Tijuana Baja California, Mexico to be smuggled into the United States. The three material witnesses stated that they or a family member was to pay approximately $2,500.00 to $2,600.00 U.S. dollars to be smuggled into the United States. The three material witnesses were able to identify defendant Jose MARTINEZ-Gonzalez as the foot-guide from a photo line-up.

Material Witness **Jorge ESTRADA-Ceja** also stated the the driver of the vehicle Roberto Jayme MEDINA, told the group to get inside.